

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

iSun, Inc., *et al.*,¹

Debtors.

Chapter 11

Case No. 24-11144 (TMH)

(Jointly Administered)

**AMENDED NOTICE OF DEBTORS' INTENT TO OFFER WITNESS
TESTIMONY AND EXHIBITS AT THE HEARING SCHEDULED FOR
JULY 2, 2024, AT 1:00 P.M. (ET)**

Undersigned counsel for the above-captioned debtors and debtors-in-possession, iSun, Inc., *et al.* ("iSun" or the "Debtors") hereby submit this notice of intent to offer witness testimony and exhibits (the "Notice") in connection with the hearing on July 2, 2024, at 1:00 p.m. (prevailing Eastern Time) in the above-captioned cases.

THE WITNESSES

The Debtor intends to call (i) Rob Vanderbeek, Chief Restructuring Officer of the Debtors, and (ii) Richard NeJame, England & Co., in connection with (1) *Debtors' Motion For Entry of Interim and Final Orders Authorizing The Debtors to Obtain Postpetition Financing, Granting Security Interests and Superpriority Administrative Expense Status, (III) Granting Adequate Protection to Certain Prepetition Secured Credit Parties, (IV) Modifying The Automatic Stay, (V) Authorizing The Debtors to Enter Into Agreements With Clean Royalties, LLC, (VI) Authorizing Non- Consensual Use of Cash Collateral, (VII) Scheduling a Final Hearing, and (VIII) Granting*

¹ The Debtors in these Chapter 11 cases, along with the last four (4) digits of their federal tax identification numbers, are: (i) iSun, Inc. ("iSun") (0172) (ii) Hudson Solar Service, LLC ("Hudson") (1635); (iii) Hudson Valley Clean Energy, Inc. ("Hudson Valley") (8214); (iv) iSun Corporate, LLC ("iSun Corporate") (4391); (v) iSun Energy, LLC ("iSun Energy") (1676); (vi) iSun Industrial, LLC ("iSun Industrial") (4333); (vii) iSun Residential, Inc. ("iSun Residential") (3525); (viii) iSun Utility, LLC ("iSun Utility") (4411) ; (ix) Liberty Electric, Inc. ("Liberty") (8485); (x) Peck Electric Co. ("Peck") (5229); (xi) SolarCommunities , Inc. ("SolarCommunities") (7316); and (xii) Sun CSA 36, LLC ("Sun CSA") (7316); (collectively referred to as the "Debtors"). The Debtors' mailing address is: 400 Avenue D, Suite 10 Williston, Vermont 05495, with copies to Gellert Seitz Busenkell & Brown LLC, Attn: Michael Busenkell, 1201 N. Orange Street, Suite 300, Wilmington, DE 19801.

Related Relief (the “DIP Motion”; D.I. 14), and (2) *Debtors’ Motion For Entry of Orders* (A) (I) *Approving Bid Procedures in Connection With The Sale of Substantially All of The Debtors’ Assets*, (II) *Scheduling an Auction and a Sale Hearing*, (III) *Approving The Form and Manner of Notice Thereof*, (IV) *Authorizing The Debtors to Enter Into The Stalking Horse Agreement*, (V) *Approving Procedures For The Assumption and Assignment of Contracts and Leases*, and (VI) *Granting Related Relief*; and (B) (I) *Approving The Purchase Agreement*; (II) *Approving The Sale of Substantially All of The Debtors’ Assets Free and Clear*; (III) *Approving The Assumption and Assignment of Contracts and Leases*; and (IV) *Granting Related Relief* (the “Bid Procedures Motion”; D.I. 65). Detailed information concerning these witnesses and any associated exhibits to be presented at the hearing are attached hereto as Exhibit A.

The Debtors reserve the right to further amend or supplement this witness list at or prior to the hearing, to call any witness designated by any other party, and to introduce into evidence any documents or exhibits designated by any other party.

WHEREFORE, should this Honorable Court have any questions or concerns regarding this Notice, counsel is available at the earliest convenience of the Court to address them.

Dated: July 1, 2024

GELLERT SEITZ BUSENKELL & BROWN, LLC

/s/ Michael Busenkell

Michael Busenkell (DE 3933)

Amy D. Brown (DE 4077)

Michael Van Gorder (DE 6214)

1201 North Orange Street, Suite 300

Wilmington, Delaware 19801

Telephone: (302) 425-5812

Facsimile: (302) 425-5814

Email: mbusenkell@gsbblaw.com

abrown@gsbblaw.com

mvangorder@gsbblaw.com

Counsel to the Debtors and Debtors-in-Possession

EXHIBIT A

NAME/POSITION	TESTIMONY	EXHIBITS
Rob Vanderbeek, Chief Restructuring Officer of the Debtors	The Debtors intend to present the testimony of Mr. Vanderbeek with respect to, <i>inter alia</i> , the Debtors' need for and contemplated uses of the DIP financing described in the Motion. efforts to obtain DIP financing and the negotiation of the stalking horse APA and bid protections.	<ol style="list-style-type: none"> 1. Declaration of Jeffrey Peck of iSun, Inc., in Support of the Debtors' Chapter 11 Petitions and First Day Motions [D.I. 4] 2. The DIP Motion [D.I. 14] 3. The Executed DIP Term Sheet [D.I. 30] 4. The DIP Budget [D.I. 14 – pg 111 of 141] 5. Declaration of Richard NeJame [D.I. 34]
Richard NeJame, England & Company	The Debtors intend to present the testimony of Mr. NeJame with respect to, <i>inter alia</i> , efforts in obtaining DIP financing, the financing options that were available to the Debtor, the reasonableness of the terms of the DIP Financing for which the Motion seeks approval, the fairness of the transaction and the efforts to market the Debtors' assets to date, and the reasonableness of the proposed bidding procedures.	<ol style="list-style-type: none"> 1. The DIP Motion [D.I.14] 2. The Executed DIP Term Sheet [D.I. 30] 3. The DIP Budget [D.I. 14 – pg 111 of 141] 4. Declaration of Richard NeJame [D.I. 34]